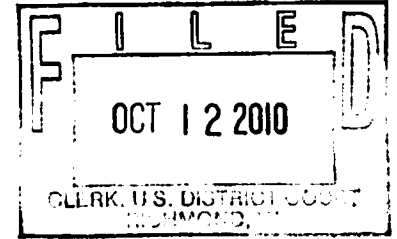




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August 19, 2010



BY HAND DELIVERY

The Honorable Robert E. Payne, Judge
United States District Court
Eastern District of Virginia
701 East Broad Street, 7th Floor
Richmond, Virginia 23219

Re: E. I. duPont de Nemours and Company v. Kolon Industries, Inc. *et al*
Civil Action No. 3:09cv58

Dear Judge Payne:

Under cover of this letter, I submit the following materials, which I am submitting under seal at the joint request of the parties:

1. Report and Recommendation of Special Master concerning disputed attorneys' eyes only designations, with Exhibits A, B and C summarizing the proposed rulings on the parties objections;
2. Transcripts of hearings conducted on July 14, 2010 and July 20, 2010;
3. Three memoranda of law, two submitted by Kolon and one by DuPont, relating to the documents produced by the government in response to the *Touhy* request.

I also submit a copy of a notice to the parties of the filing of this material with the court, and a proposed Order adopting the recommendations of the Special Master.

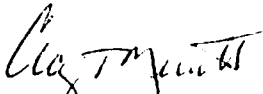
I maintain possession of copies of the disputed documents, and have so advised counsel. It is my intention, should the recommendations be subject to objection, to deliver to your chambers any documents that require further scrutiny. Should the Court adopt the Special Master's recommendations, it is my intention to hold the materials in my possession for 60 days from the date of any Order entered by the Court that finally disposes of the AEO dispute, then destroy them. I will certify the fact of destruction to the parties in writing.

CHRISTIAN & BARTON, LLP

Honorable Robert E. Payne
August 19, 2010
Page 2

I trust that these submissions will be useful to the Court and to the parties in bringing this aspect of their dispute to a conclusion.

Respectfully,


Craig T. Merritt

CTM/sbs/1075637/08427.00001

Enclosures

cc: *(All with copies of Report, Exhibits to Report and Proposed Order via electronic mail and first class mail)*

Scott M. Flicker, Esquire
Rhodes B. Ritenour, Esquire
Dana J. Finberg, Esquire
Rodney A. Satterwhite, Esquire
Brian C. Riopelle, Esquire
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